

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. GIBBONS). Pursuant to House Resolution 214, the bill is considered read for amendment.

The text of H.R. 2505 is as follows:

H. R. 2505

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Human Cloning Prohibition Act of 2001".

#### SEC. 2. PROHIBITION ON HUMAN CLONING.

(a) IN GENERAL.—Title 18, United States Code, is amended by inserting after chapter 15, the following:

##### "CHAPTER 16—HUMAN CLONING

"Sec.

"301. Definitions.

"302. Prohibition on human cloning.

##### "§ 301. Definitions

"In this chapter:

"(1) HUMAN CLONING.—The term 'human cloning' means human asexual reproduction, accomplished by introducing nuclear material from one or more human somatic cells into a fertilized or unfertilized oocyte whose nuclear material has been removed or inactivated so as to produce a living organism (at any stage of development) that is genetically virtually identical to an existing or previously existing human organism.

"(2) ASEXUAL REPRODUCTION.—The term 'asexual reproduction' means reproduction not initiated by the union of oocyte and sperm.

"(3) SOMATIC CELL.—The term 'somatic cell' means a diploid cell (having a complete set of chromosomes) obtained or derived from a living or deceased human body at any stage of development.

##### "§ 302. Prohibition on human cloning

"(a) IN GENERAL.—It shall be unlawful for any person or entity, public or private, in or affecting interstate commerce, knowingly—

"(1) to perform or attempt to perform human cloning;

"(2) to participate in an attempt to perform human cloning; or

"(3) to ship or receive for any purpose an embryo produced by human cloning or any product derived from such embryo.

"(b) IMPORTATION.—It shall be unlawful for any person or entity, public or private, knowingly to import for any purpose an embryo produced by human cloning, or any product derived from such embryo.

"(c) PENALTIES.—

"(1) CRIMINAL PENALTY.—Any person or entity who violates this section shall be fined under this section or imprisoned not more than 10 years, or both.

"(2) CIVIL PENALTY.—Any person or entity that violates any provision of this section shall be subject to, in the case of a violation that involves the derivation of a pecuniary gain, a civil penalty of not less than \$1,000,000 and not more than an amount equal to the amount of the gross gain multiplied by 2, if that amount is greater than \$1,000,000.

"(d) SCIENTIFIC RESEARCH.—Nothing in this section restricts areas of scientific research not specifically prohibited by this section, including research in the use of nuclear transfer or other cloning techniques to produce molecules, DNA, cells other than human embryos, tissues, organs, plants, or animals other than humans."

(b) CLERICAL AMENDMENT.—The table of chapters for part I of title 18, United States Code, is amended by inserting after the item relating to chapter 15 the following:

"16. Human Cloning ..... 301".

The SPEAKER pro tempore. The amendments printed in the bill are adopted.

The text of H.R. 2505, as amended, is as follows:

H.R. 2505

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Human Cloning Prohibition Act of 2001".

#### SEC. 2. PROHIBITION ON HUMAN CLONING.

(a) IN GENERAL.—Title 18, United States Code, is amended by inserting after chapter 15, the following:

##### "CHAPTER 16—HUMAN CLONING

"Sec.

"301. Definitions.

"302. Prohibition on human cloning.

##### "§ 301. Definitions

"In this chapter:

"(1) HUMAN CLONING.—The term 'human cloning' means human asexual reproduction, accomplished by introducing nuclear material from one or more human somatic cells into a fertilized or unfertilized oocyte whose nuclear material has been removed or inactivated so as to produce a living organism (at any stage of development) that is genetically virtually identical to an existing or previously [existing] existing human organism.

"(2) ASEXUAL REPRODUCTION.—The term 'asexual reproduction' means reproduction not initiated by the union of oocyte and sperm.

"(3) SOMATIC CELL.—The term 'somatic cell' means a diploid cell (having a complete set of chromosomes) obtained or derived from a living or deceased human body at any stage of development.

##### "§ 302. Prohibition on human cloning

"(a) IN GENERAL.—It shall be unlawful for any person or entity, public or private, in or affecting interstate commerce, knowingly—

"(1) to perform or attempt to perform human cloning;

"(2) to participate in an attempt to perform human cloning; or

"(3) to ship or receive for any purpose an embryo produced by human cloning or any product derived from such embryo.

"(b) IMPORTATION.—It shall be unlawful for any person or entity, public or private, knowingly to import for any purpose an embryo produced by human cloning, or any product derived from such embryo.

"(c) PENALTIES.—

"(1) CRIMINAL PENALTY.—Any person or entity [who] that violates this section shall be fined under this [section] title or imprisoned not more than 10 years, or both.

"(2) CIVIL PENALTY.—Any person or entity that violates any provision of this section shall be subject to, in the case of a violation that involves the derivation of a pecuniary gain, a civil penalty of not less than \$1,000,000 and not more than an amount equal to the amount of the gross gain multiplied by 2, if that amount is greater than \$1,000,000.

"(d) SCIENTIFIC RESEARCH.—Nothing in this section restricts areas of scientific research not specifically prohibited by this section, including research in the use of nuclear transfer or other cloning techniques to produce molecules, DNA, cells other than human embryos, tissues, organs, plants, or animals other than humans."

(b) CLERICAL AMENDMENT.—The table of chapters for part I of title 18, United States Code, is amended by inserting after the item relating to chapter 15 the following:

"16. Human Cloning ..... 301".

The SPEAKER pro tempore. After 1 hour of debate on the bill, as amended, it shall be in order to consider the further amendment printed in House Report 107-172, if offered by the gentleman from Virginia (Mr. SCOTT), or his designee, which shall be debatable for 10 minutes, equally divided and controlled by the proponent and an opponent.

After disposition of the amendment by the gentleman from Virginia (Mr. SCOTT), it shall be in order to consider the further amendment printed in the report by the gentleman from Pennsylvania (Mr. GREENWOOD), which shall be considered read and debatable for 1 hour, equally divided and controlled by the proponent and an opponent.

The gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Michigan (Mr. CONYERS) each will control 30 minutes of debate on the bill.

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

#### GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2505, the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself 5½ minutes.

Mr. Speaker, I rise in support of H.R. 2505, the Human Cloning Prohibition Act of 2001. This bill criminalizes the act of cloning humans, importing cloned humans, and importing products derived from cloned humans. It is what is needed, a comprehensive ban against cloning humans. It has bipartisan cosponsorship. It was reported favorably by the Committee on the Judiciary on July 24, and is supported by the Secretary of the Department of Health and Human Services, Tommy J. Thompson, and by President Bush.

Today we are considering more than the moral and ethical issues raised by human cloning. This vote is about providing moral leadership for a watching world. We have the largest and most powerful research community on the face of the Earth, and we devote more money to research and development than any other Nation in the world. Although many other nations have already taken steps to ban human cloning, the world is waiting for the United States to set the moral tone against this experimentation.

Currently in the United States there are no clear rules or regulations over privately funded human cloning. Although the FDA has announced that it has the authority to regulate human cloning through the Public Health Service Act and the Food, Drug and Cosmetic Act, this authority is unclear and has not been tested. The fact of the matter is that the FDA cannot stop